

EXPRESS MAIL LABEL NO. EL 994829235US

PATENT APPLICATION
Docket No. 2411.3301.2US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
)	
Farrell G. Badger et al.)	
)	
Serial No.:)	
10/750,484)	
)	Group Art Unit
Filing Date:)	1754
December 30, 2003)	
)	
For:)	
EXPLOSIVE DEVICE WITH)	
ACCELERATED BIOREMEDIATION)	
CAPACITY)	

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attention: Office of Initial Patent Examination

Sir:

Attached as Exhibit A is a copy of the official Filing Receipt received from the United States Patent and Trademark Office relative to the above-referenced application.

The issuance of a corrected Filing Receipt is respectfully requested.

It is respectfully submitted that there is an error in portion of the Filing Receipt setting forth the “Domestic Priority data as claimed by applicant,” inasmuch as no claim of priority is recited therein on behalf of United States Patent Application Serial No. 08/866,205 directly as a continuation-in-part application to United States Patent Application Serial No. 08/687,092.

Attached as Exhibit B is a slightly modified¹ copy of page 2 of the above-referenced application as originally filed that contains Paragraph No. 0001, which therein includes a full recitation of the claim for priority asserted on behalf of the above-referenced application.

In lines 7 and 8 of Paragraph No. 0001, to facilitate subsequent discussion United States Patent Application Serial No. 743,460 that was filed on October 18, 1996, is defined as “the First Great Grandparent Application.” The First Great Grandparent Application of Paragraph No. 0001 corresponds to United States Patent Application Serial No. 08/743,460 referred to variously in the “Domestic Priority data as claimed by applicant” portion of the Filing Receipt attached as Exhibit A.

Similarly, at lines 9-11 of Paragraph No. 0001, to facilitate subsequent discussion United States Patent Application Serial No. 687,092 that was filed on June 4, 1996, is defined as “the Second Great Grandparent Application.” The Second Great Grandparent Application of Paragraph No. 0001 corresponds to United States Patent Application Serial No. 08/687,092 referred to variously in the “Domestic Priority data as claimed by applicant” portion of the Filing Receipt attached as Exhibit A.

¹ In the version of page 2 attached as Exhibit B, line numbering for the lines of Paragraph No. 001 has been added to facilitate discussion, a typographical error on line 13 has been noted, and a key recitation relative to the correction sought herein has been underlined.

Lines 11-13 of Paragraph No. 0001 recite that “[t]he First Great Grandparent Application is a continuation-in-part of both the Second Great Grandparent Application and United States Patent Application Serial No. 560,104, [*sic* 658,104²] that was filed on June 4, 1996” (Emphasis added).³

The “Domestic Priority data as claimed by applicant” portion of the Filing Receipt attached as Exhibit A includes no statement of the entitlement of the First Great Grandparent Application, United States Patent Application Serial No. 08/743,460, to claim continuation-in-part priority directly to the Second Great Grandparent Application, United States Patent Application Serial No. 08/687,092.⁴

² The noted typographical error, which is not repeated in the Filing Receipt attached as Exhibit A, will be corrected in an amendment to the specification in the next communication filed in the prosecution of the above-captioned application.

³ Although not relevant to the request for corrected Filing Receipt sought herein, United States Patent Application Serial No. 658,104 filed on June 4, 1996, corresponds to United States Patent Application Serial No. 08/658,104 referred to variously in the “Domestic Priority data as claimed by applicant” portion of the Filing Receipt attached as Exhibit A.

⁴ The entitlement of the First Great Grandparent Application, United States Patent Application Serial No. 08/743,460, to also claim continuation-in-part priority directly to United States Patent Application Serial No. 08/658,104 is included in “Domestic Priority data as claimed by applicant” portion of the portion of the Filing Receipt attached as Exhibit A in the statement that “said 08/743,460 10/18/96 is a CIP of 08/658,104 06/04/1996 ABN,” which appears in the fifth and sixth lines of that portion of the Filing Receipt.

In remedy of this omission, it is respectfully submitted that the "Domestic Priority data as claimed by applicant" portion of the Filing Receipt for the above-captioned application, when set forth in standard underline-and-strikeout format, should be corrected to read as follows:


This application is a DIV of 10/039,137 12/31/2001 PAT 6,668,725
which is a DIV of 08/866,205 05/30/1997 PAT 6,334,395
which is a CIP of 08/743,460 10/18/1996 PAT 6,120,627
and is a CIP of 08/687,092 06/04/1996 ABN
and said 08/743,460 10/18/1996
is a CIP of said 08/687,092 06/04/1996
and is a CIP of 08/658,104 06/04/1996 ABN
which is a CIP of 08/560,074 11/17/1995 ABN
and said 08/687,092 06/04/1996
is a CIP of 08/560,102 11/17/1995 ABN

The issuance of a correspondingly corrected Filing Receipt is hereby requested.

As the correction sought herein is not due to any error by applicant, it is respectfully submitted that no fee is due relative thereto.

DATED this 19th day of August 2004.

Respectfully submitted,


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Attorney for Applicant
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KSB/tlb

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/750,484	12/30/2003	1754	1112	2411.3301.2US	13	39	3

CONFIRMATION NO. 4052

Kent S. Burningham, Esq.
TRASKBRITT, PC
Suite 300
230 South 500 East
Salt Lake City, UT 84102

RECEIVED

AUG 11 2004

TRASKBRITT

FILING RECEIPT



OC000000013480304

Date Mailed: 08/09/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Farrell G. Badger, Mapleton, UT;
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Ronald D. Thomas, Woodland Hills, UT;
Lyman G. Bahr, Payson, UT;
Dean F. Richards, Pleasant Grove, UT;

Assignment For Published Patent Application

THE ENSIGN-BICKFORD COMPANY;

Domestic Priority data as claimed by applicant

This application is a DIV of 10/039,137 12/31/2001 PAT 6,668,725
which is a DIV of 08/866,205 05/30/1997 PAT 6,334,395
which is a CIP of 08/743,460 10/18/1996 PAT 6,120,627
and is a CIP of 08/687,092 06/04/1996 ABN
and said 08/743,460 10/18/1996
is a CIP of 08/658,104 06/04/1996 ABN
which is a CIP of 08/560,074 11/17/1995 ABN
and said 08/687,092 06/04/1996
is a CIP of 08/560,102 11/17/1995 ABN

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

Title

Explosive device with accelerated bioremediation capacity

Preliminary Class

588

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



RELATED APPLICATIONS

[0001] This application is a divisional application of pending United States Patent Application Serial No. 39,137 that was filed on December 31, 2001 (hereinafter "the Parent Application"), and that issued as United States Patent No. 6,668,725 on December 30, 2003. The Parent Application is a divisional application of United States Patent Application Serial No. 866,205 that was filed on May 30, 1997 (hereinafter "the Grandparent Application"), and that issued as United States Patent No. 6,334,395 on January 1, 2002. The Grandparent Application is a continuation-in-part application both of United States Patent Application Serial No. 743,460 that was filed on October 18, 1996 (hereinafter "the First Great Grandparent Application"), and that issued on October 18, 1996, as United States Patent No. 6,120,627, and of United States Patent Application Serial No. 687,092 that was filed on June 4, 1996 (hereinafter "the Second Great Grandparent Application"), and is now abandoned. The First Great Grandparent Application is a continuation-in-part of both the Second Great Grandparent Application and United States Patent Application Serial No. ⁶⁵⁸560,104, that was filed on June 4, 1996, and is now abandoned, which is a continuation-in-part of pending United States Patent Application Serial No. 560,074, filed on November 17, 1995, and is now abandoned. The Second Great Grandparent Application is a continuation-in-part of United States Patent Application Serial No. 560,102, that was filed on November 17, 1995, and is now abandoned.

[0002] The present application discloses subject matter related to that disclosed in United States Patent No. 6,666,112 that issued on December 9, 2003, from United States Patent Application Serial No. 660,020 and in United States Patent No. 6,644,200 that issued on November 11, 2003, from United States Patent Application Serial No. 666,073, both of which were filed on

08/23/04

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Filing Date:)	
December 30, 2003)	
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EXPLOSIVE DEVICE WITH)	
ACCELERATED BIOREMEDIATION)	
CAPACITY)	

COMBINED CERTIFICATE OF FILING BY FACSIMILE TRANSMISSION
AND OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EL 994829235US

Date of Deposit: August, 19, 2004

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
Attention: Office of Initial Patent Examination

Sir:

I hereby certify that this paper, the facsimile cover sheet that precedes this paper, and the documents listed below as "Transmitted" are being filed on the date shown below pursuant to 37 C.F.R. § 1.6(d) by facsimile transmission to the Office of Initial Patent Examination at the United States Patent and Trademark Office at (703) 746-9195.

The originals of the documents listed below as "Transmitted" are also being deposited with the

the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450, Attention: Office of Initial Patent Examination

DATED this 19th day of August 2004.

Respectfully submitted,



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KSB/tlb

N:\2411\3301.2US\CERT.OF.FILING.DOC

Transmitted: Request for Corrected Filing Receipt (4 pages) with Exhibits A and B attached
Postcard